ONLY PUBLIC MAN BANISHED BY PRESIDENT LINCOLN

C. L. Vallandigham, Most Troublesome of Copperheads in Civil War Times, as Pictured in Family Records

Clement L. Vallandigham shared public attention with the Union commanders in the field fifty years ago. The only man sent into exile, he was bitterly denounced and as warmly defended. What manner of man was he, what were his aims? These questions could not be answered in the heat of the civil war; the sketch given here comes largely from family records.

ABRAHAM LINCOLN as President of the United States banished but one public man, Clement Laird Vallandigham of Ohio, the most troublesome and audacious of the Peace Democrats, sometimes called Copperheads. The banishment of Vallandigham occurred fifty years ago, in May, 1863, and ranked along with the great battles of that time as a subject of public interest.

It was part of the irony of the event that the man primarily responsible for the military arrest of Vallandigham should have been his old neighbor and fellow Democrat Edwin M. Stanton, and that Stanton probably owed his first appearance in public life as a member of Buchanan's Cabinet in part to the recommendation of Vallandigham. Stanton as a young man had practised law at Steubenville, his native place, and in neighboring counties, among others Columbiana, the county seat of which was New Lisbon, the birthplace of Vallandigham. Here an elder brother of Vallandigham for a time practised law, and Stanton when called to New Lisbon on business shared his office. Stanton and Clement Vallandigham afterward worked together as fellow Democrats in Ohio and were both delegates to the national Democratic convention of 1860 at Kehaleston.

Vallandigham, six years younger than Stanton, had decided upon a political career while he was still a youth at college, and was a member of Congress while Stanton yet remained unknown in national affairs. The two respected each other, and it is believed that when Buchanan's Cabinet began to break up Vallandigham suggested his neighbor Stanton for the post of Attorney-General, to which he was appointed. It is improbable that without this preliminary service Stanton would have become Lincoln's energetic and implacable Secretary of War, and thus Vallandigham may have paved the way for his own arrest and banishment.

When Lincoln was inaugurated as President of the United States in 1861 Clement L. Vallandigham had just been elected a third time to Congress. He believed secession to be madness, but from the time it began with South Carolina he feared a permanent breach of the Union, and from a letter written to his wife in December, 1860, he seems to have expected that he would be called upon to act in a fashion that might bring him into collision with the authorities.

Men were rapidly changing sides in those days, and Vallandigham definitely decided to take the most difficult position possible for a public man to assume, that of an opponent alike of secession and of coercion. He held absolutely to this position so long as he remained in Congress, with the result that he became within eighteen months the most hated man in the North and the most annoying enemy of the Administration. It became necessary to get rid of him, and the riddance was accomplished for the moment by a gerrymandering of his district, so that he was defeated when he ran for Congress in the fall of 1862, though he held his full strength and made considerable gains in the original area of the district from which he had been thrice elected.

When the thirty-seventh Congress expired on March 4, 1863, Vallandigham left Washington a private and intensely angry citizen. He had indicated the trend of his thought in one of his last speeches in Congress, when he said: "The day which divides the North from the South, the self-same day decrees eternal divorce between the West and the East." A little further on in the same speech he said: "There is not one drop of rain that falls over the whole vast expanse of the Northwest that does not find its home in the bosom of the Gulf. We must and we will follow it with travel and trade, not by treaty, but by right, freely, peaceably and without restriction or tribute, under the same Government and flag."

A disappointed and ambitious man, smarting under sense of wrong, convinced that his position was wise and patriotic and blind to the fact that an effective majority of the American people were determined to sacrifice all else to the successful prosecution of the war, was a dangerous sort of person to turn loose where a good many thousand of simpler folk shared his opinions, the more so as he was without fear and gifted with unusual powers as a public speaker.

The man thus sent back to Ohio as a private citizen was then 43 years old, a stoutly built person of 5 feet 9, with a dense mass of black, slightly curling hair, a ruddy complexion, a full, keen, dark blue eye, an aquiline nose and a fighting jaw. He had been bred in the Calhoun school of State rights Democracy, was well read in law, in history and in literature, ancient and modern. Charles James Fox was one of his political idols, and his mind was forever running back to the struggle of the English Liberals with the Stuarts. He believed that struggle was repeated in his own opposition to the Administration of Mr. Lincoln.

Vallandigham stopped in Philadelphia and New York on his way home from Washington and addressed large public meetings. He spoke in New York before the Democratic Union Association. There was plenty of sympathy with such a man in the city seized a few weeks later by the draft rioters and his speech was savage in its intensity. He demanded a free ballot and added:

"We are ready to try these questions in that way; but I have only to repeat what I said a little while ago, that when the attempt is made to take away that other right, and the only instrumentality peaceably of reforming and correcting abuses—free assemblages, free speech, free ballot and free elections—that then the hour will have arrived when it will be the duty of freemen to find some other and efficient mode of defending their liberties."

When Vallandigham reached home he found exactly the condition that he had just said in New York would justify freemen in finding "some other and efficient mode of defending their liberties." Gen. Ambrose E. Burnside was commander of a military district composed of Ohio, Kentucky, Indiana and Illinois, and those States were under a form of martial law. A more ticklish situation could hardly have been contrived than that which set Burnside and Vallandigham face to face.

Burnside was fresh from the defeat at Fredericksburg, and his 12,000 dead of that battlefield were calling upon him to be zealous in his new duty. Vallandigham had just been relegated to private life at the height of his career and his powers, after as he wrote, quoting Byron, to a relative, having had "life's life almost lied away." The two were like the spark and the gunpowder keg.

Vallandigham welcomed the situation as giving him his opportunity. He hoped and believed that Stanton's policy would bring about the defeat of the Republicans in the Presidential and Congressional elections of 1864, and he was determined to risk everything in furthering this result. Then he expected to see an armistice, a parley, terms of compromise reached and the Union restored. He firmly believed that it could not be restored by force of arms and that the coercion of the South would mean the establishment of a military despotism both North and South. For a man with such convictions there was but one course, and he promptly set about following his convictions to their logical conclusion.

For many months Vallandigham had been expecting arrest and he described in a public speech the effect of the haunting fear bred by that expectation. His friends at home in Dayton had organized a sort of volunteer police force for his protection, and his agents closely watched the movements of the Federal authorities. His official position as a Congressman guaranteed him against arrest by civil process, but now that he was a private citizen he was doubly in danger of seizure by Burnside's soldiers, and accordingly his friends redoubled their vigilance.

Matters finally came to a head at Mount Vernon, Ohio, on May 1, where he addressed a huge open air meeting of farmers and others brought together from many miles around. There came also to this meeting disguised agents of Burnside's, officers of the army in civil attire, who took their stand near the speaker to make sure of hearing all he said. What they heard was the boldest defiance of Burnside and his orders, and a demand for the full constitutional rights of free speech and public assemblage.

He denounced the war as "wicked, cruel and unnecessary," not waged for the preservation of the Union but for the purpose of crushing out freedom and erecting a despotism, of freeing the blacks and enslaving the whites. He charged that the Government of the United States was about to appoint military commanders in every district to restrain the people of their liberties, to deprive them of their rights and privileges. Burnside's General Order No. 38 he denounced as "a base usurpation of arbitrary authority," and he added:

"The sooner the people inform the minions of usurped power that they will not submit to such restrictions upon their liberties the better."

He declared that he would always do what he could to defeat the attempts being made to build up a monarchy upon the ruins of our free government, that the men in power were attempting to establish a despotism in this country more cruel and more oppressive than ever existed before. As to Order No. 38 he despised it and spat upon it, trampled it under foot and declined to regard it.

Most of these things he had said in one form or another at previous meetings, and it was known that the Democrats of Ohio were in an angry and dangerous mood. Indeed, Vallandigham, fearing the premature effect of his words, had found it necessary to declare with the utmost precision that nothing would justify violent resistance to the Administration except the utter failure of constitutional means.

Immediately after this speech rumors of his coming arrest thickened, and his friends offered to form a nightly guard about his house, but he declined. Burnside was now ready to act, and after midnight on the morning of May 5, 1863, he sent very secretly a file of soldiers by special train from Cincinnati to Dayton for the purpose of making the arrest. At half past two Vallandigham was awakened by a pounding on his front door. Looking out he heard the tramp of soldiers and knew that his hour had come.

Vallandigham called from the window to ask what was wanted and the reply was a command that he come down and submit to arrest at the order of Burnside. He denied Burnside's right to arrest him and declined to come down. The answer was a threat to shoot him and his reply was one of defiance. He then shouted for the police and closed the window.

Calling a nephew who had served with the troops of the Union he armed him and bade him shoot if there seemed any hope of resisting effectively. He armed himself with a pistol and waited while the soldiers broke into the house and ascended the stairs, occupying himself part of the time in the vain

CLEMENT L. VALLANDIGHAM.
From a wartime photograph.

effort to soothe the four hysterical women of the household. After three doors had been broken down Vallandigham, realizing that resistance was vain, awaited the coming of the soldiers. They found him standing alone in a bedroom, and presented half a dozen muskets at his breast. To them he said:

"You have now broken open my house, and overpowered me by superior force and I am obliged to surrender."

The bugles sounded the recall, and the prisoner, surrounded by the soldiers, was taken to the railway station and hurried by special train to Cincinnati. Fearing a popular movement for his release the authorities promptly transferred their prisoner to Kemper Barracks, across the Ohio River at Covington, Ky.

When daylight came a Democratic mob took possession of Dayton, sacked the office of the chief Republican newspaper, tore up the railway tracks, cut the telegraph lines, and was apparently ready to resist the troops when they should come. A few temperate leaders, however, realized the futility of a civil war at Dayton and persuaded the hot heads to go home, and when Burnside's troops approached no resistance was offered.

Elsewhere in Ohio and among Democrats all over the East the arrest stirred strong excitement. Vallandigham managed to smuggle out from his place of imprisonment an address to the Democrats of Ohio, in which he took the attitude of a martyr to constitutional liberty, and such no doubt he felt himself to be. Meetings of protest were held in various parts of the State, in New York, at Philadelphia and elsewhere, and later a delegation of prominent Democrats went to Washington to present a formal written protest to Mr. Lincoln.

That protest gave the President, who was certainly no friend of arbitrary government and who probably regretted in this particular instance the zeal of Stanton and Burnside, the opportunity for a characteristically homely and effective saying. The Democrats pointed out that if civilians were subjected to military arrest in time of war the custom would be continued after the restoration of peace and the Federal Government would be merely a despotism upheld by the army. Lincoln's reply was that while he had often known a sick man to take emetics to hasten his cure he had never known a man once cured to make them a part of his regular diet.

Burnside hastened the trial of his prisoner by military commission. It lasted several days, and distinguished counsel appeared for the accused. Sunset Cox appeared as a witness in his behalf. The outcome of the trial was a conviction, and the military court imposed a sentence of imprisonment during the continuance of the war. It was believed by Vallandigham's friends that Burnside favored a sentence of death and that he had argued some time before the arrest that he could properly shoot Vallandigham for words uttered in speeches preceding that at Mount Vernon.

A writ of habeas corpus was denied by Judge Leavitt of the United States court upon the ground that the crisis justified extra judicial action. As a matter of fact the Judge at first felt that the writ must issue, but he was so impressed with the necessity of silencing Vallandigham that he took to his knees in prayer after reaching his first conclusion and seemed to find guidance justifying denial of the writ. The Supreme Court of the United States declined to interfere upon grounds that Vallandigham himself as a lawyer seems to have approved as sound.

While the country was still buzzing with the affair and rumors were flying that Vallandigham would be sent to the Dry Tortugas, one of the most dreaded of American fortresses, Mr. Lincoln tactfully commuted the sentence to banishment beyond the Union lines into the Confederacy. Loyal folk laughed and said with glee, "Vallandigham is going to his friends at last." Tom McGehan, the man in whose defence Vallandigham eight years later sacrificed his life, wrote upon the banishment a doggerel poem to be sung to the tune of "Lannigan's Ball," running in part thus:

Says Jeff to Val, "What's this about?"
Says Val to Jeff, "They've found me out."
Whack, fallack, falay, faladdady.
Whack, fallack, for Vallandigham's ball.

Upon Gen. Rosecrans was placed the duty of transferring the prisoner to the Confederacy. Vallandigham was placed on board the gunboat Exchange at Cincinnati on May 19. On May 22 she started for Louisville. It was then that Vallandigham first learned that his sentence had been commuted from imprisonment in Fort Warren, Boston harbor, to banishment, and he drew up another address to the Democrats of Ohio, protesting that nothing should deprive him of his citizenship of that State and of the United States, and proclaiming his attachment to the Union.

He reached Louisville on May 23 and was hurried southward to Murfreesboro, where he was turned over to Gen. Rosecrans. "Old Rosy" and the prisoner got on together pleasantly enough over a bottle of pleasing proportions and contents, but the General did not succeed in convincing the prisoner of the error of his ways.

"He doesn't look a bit like a traitor now, does he?" said the General, eyeing the prisoner through a glass darkly.

Vallandigham's request that Rosecrans draw up his men in hollow square and permit him to address them in vindication of himself was prudently denied.

"They'd tear you to pieces," said the General.

"After they'd heard me they'd be more anxious to tear the Administration to pieces," was the substance of the prisoner's reply.

At 2 A. M. on May 25 Vallandigham set out for the Confederate lines guarded by a squad of cavalry. They advanced by way of the Shelbyville pike, and after an hour halted at a wayside house to await daylight. At dawn the march was resumed. The prisoner talked cheerfully of the situation with his escort, but seemed considerably moved as he approached the Confederate lines.

There was some delay because the Confederate officer to whom a flag of truce had been sent had doubts whether the prisoner should be received. He sent word to Gen. Bragg about the matter, and the Federal escort rode away, leaving Vallandigham in doubt as to what would be done with him. Before the Federal soldiers left the scene Vallandigham turned to the only Confederate in sight, a private of the Eighth Alabama, and said gravely:

"I am a citizen of Ohio and of the United States. I am here within your lines by force and against my will. I therefore surrender myself to you as a prisoner of war."

Neither Vallandigham nor his somewhat unwilling captor saw the humor of that early morning situation. The prisoner, whom the Alabamian hardly knew whether to treat as friend or enemy, quietly waited until noon, when an order from Gen. Bragg invited him to headquarters. His reception there was courteous, and he was the guest that night of a hospitable household. His hostess told him that she had set aside a room for him a year before, when she had had a presentiment that he would be banished to the Confederacy and would come to her house. Oddly enough, she had told the same tale to some of her neighbors long before Vallandigham's arrest.

If anybody expected that the banished man would make the mistake of joining the Confederacy that person was doomed to disappointment. He was extremely careful to keep his record clean in accordance with the fiction that he was a prisoner of the Confederacy. He was ordered at his own wish on June 1 to report on parole to Gen. Whiting at Wilmington, N. C. A friendly demonstration by Confederate soldiers as he was about to take the train at Shelbyville for Chattanooga was suppressed by the officers.

At Wilmington he took passage June 17 on a blockade runner for Bermuda, and just escaped capture by a United States man-of-war by suggesting to the captain that he parade his men on deck in British uniforms. The sight of the scarlet led the man-of-war to mistake the blockade runner for a British troop ship and she was suffered to proceed unquestioned. Vallandigham took steamer from Bermuda and arrived at Halifax on July 5.

From Halifax the exile, who had meanwhile been nominated for Governor of Ohio, went to Quebec and thence to Niagara Falls. From this point he began his campaign for Governor by issuing a long address to the Democrats of Ohio. Later he removed to Windsor, where he lived for the remainder of his stay in Canada.

Vallandigham apparently hoped that he would be elected Governor, a result that would have meant the repudiation of the national Administration by Ohio, and might have led to a serious attempt to force an armistice with the South. Vallandigham's favorite notion, and a convention of the States to make terms of reunion. He was defeated by a majority of 100,000, but a surprising number of voters stood by him. As a matter of fact his vote was the largest hitherto given to a Democratic candidate for Governor of Ohio, and was more than 25,000 greater than that cast for the Democratic candidate of two years earlier.

Vallandigham had planned to return to Ohio just before the end of his campaign to make a dramatic and unexpected appearance at one of the great public meetings and to stump the State from that time to the day of the election. His friends, however, strongly dissuaded him from the undertaking as sure to end in his death, and a severe storm on the night he had planned his return prevented his crossing the Detroit river.

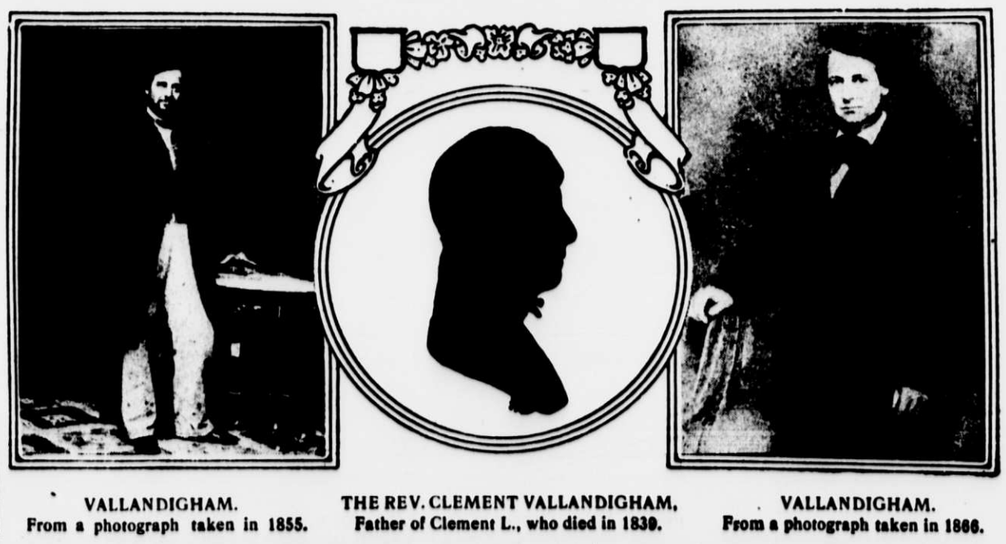
Confederate agents conferred with Vallandigham during his stay in Canada, but he soon realized that he and they were too far apart in hopes and aims for any effective cooperation. After his defeat he consented to become the head of an oathbound secret organization strong in the middle West and known under various titles. Under his headship it was called the Sons of Liberty. Some of its members planned treasonable doings, and the Indiana treason trials of 1865 disclosed these designs and ended in the sentencing of one man to death, but he was pardoned by President Johnson. Vallandigham apparently believed that the Sons of Liberty might be effectively used to force an armistice with the Confederacy, but he insisted that the constitution of the order should be in no way inconsistent with the Constitution of the United States. No man ever trod nearer the line of treason.

The exile secretly returned home in June, 1864, and suddenly appeared at a public meeting. He seems to have expected a second arrest, and perhaps he hoped that such an event would cause a rising of the Sons of Liberty. No arrest came, however. He managed to have the war declared a failure by the Democratic national convention of 1864, but the effective answer to that charge was Lincoln's reelection and the rapid breakdown of the Confederacy.

The rest is soon told. Vallandigham resumed his old place of influence in Ohio and was barely beaten for Congress by Gen. Schenck in 1868. Then in 1871 he astonished his party by fathering in Ohio what was known as the New Departure—that is, an announcement that bygones should be bygones, that the results of the war should be accepted and that the party in State and nation should turn to new issues.

The thing was received with enthusiasm all over the North, but the author of the New Departure did not live to profit by his own invention. He had been busy with his law practice in the intervals of politics. The man who had lampooned him in 1863, a rough but witty professional gambler and saloon keeper, was accused of having murdered a man in a gambling house at Hamilton, Ohio, and turned to his old political enemy for aid. Vallandigham took the case and conceived the theory that the dead man had accidentally killed himself in drawing his pistol as McGehan entered the room.

The theory was clinched by the lawyer himself, for in demonstrating to his associate how the thing could have been done Vallandigham picked up a loaded pistol instead of the empty one which had been prepared for the purpose and gave himself a fatal wound. The incident occurred at Lebanon, Ohio, June 16, 1871. He died the next day. McGehan's jury at first disagreed and eventually he was cleared.



VALLANDIGHAM.
From a photograph taken in 1855.

THE REV. CLEMENT VALLANDIGHAM,
Father of Clement L., who died in 1839.

VALLANDIGHAM.
From a photograph taken in 1866.

His Military Arrest and Exile Into the Confederate Lines One of the Great Sensations of Fifty Years Ago

Wise Cantankerous Army Mules

Among the troops moving forward to the Mexican border the army mule pack train has its place of honor, for in Mexico the mule pack train would be of immeasurable service. With the Thirteenth United States Infantry is a pack train of about seventy-five mules, many of them veterans.

The army pack mule is a wise, crafty animal. He has customs and manners and peculiarities of his own that present problems in psychology. During the recent military manœuvres in Kansas the Fort Riley pack train was in the field. Kansas farmers are still swearing at the acquired and inborn cussedness of those mules.

If the terms descriptive of the equipment of the automobile and aeroplane are French, from the Spanish come the words that tell of the gear of the pack train. In weight the typical pack mule runs from 600 to 700 pounds, and his color may be anywhere from soft mauve to robin blue.

The Fort Riley pack train is managed by a master packer and seven or eight assistants. These packers are civilians, mostly from the plains and mountain country and are the most picturesque individuals in the army service. They have a profound knowledge of mule character. They are strong, muscular men, with broad backs and a viselike grip. They are chosen by a process of elimination, as the weaker recruits soon drop out.

The packers have a garb of their own and are a fearless, independent lot of men. They wear the broad brimmed white hat of the cowboy, vari-colored shirts, high heeled boots and spurs with Mexican rowels as big as saucers. No man ever saw a packer smoking a pipe. The packers chew vast quantities of tobacco and smoke many cigarettes. On the march a pipe is a bother to the packer in his frequently getting on and off his mule to tighten a pack that has slipped or to argue with a mule that suddenly has betrayed signs of hopeless depravity. The cigarette rests lightly between the teeth and may be quickly cast aside. The expert packer knows many strange oaths, some of them so cutting that the most hardened mule has been seen to shut his eyes and shudder at the sound.

A pack must be accurately balanced and so tightly fastened on a mule's back that it will not slip and make the mule's back sore, as a mule with a sore back is about as tractable as a lobo wolf with a "possum whacked" tail. The expert packer can balance a pack by the touch of his finger on the under side. By a kind of mental telepathy the packer is able merely at a glance to know that his mule is having trouble with his pack and at once he applies the remedy.

Led by a loose animal wearing a bell the pack train goes swaying along the road, the mules in single file at one moment and then by twos or threes or all together, sometimes at a walk and again at a brisk trot. The packers' mess is the best in the army; if there is anything to eat the packers find it. In his Indian campaigns Gen. Crook preferred to eat with his packers, knowing that their table was the best.

Many of the mules are called bell sharks. A bell shark is a mule hopelessly enamored of the bell leader. For the latter a freakish pony or horse is chosen, one that has been locoed or is too vicious and intractable for other use. He moves ahead, with the bell jingling, and the mules follow. They would follow him to the muzzle of a cannon. The moment he stops they crowd round him as closely as possible, each trying to get nearest, and so long as the bell jingled round his neck they would remain, refusing to graze or go to water. For this reason when the bell horse and the mules are turned out to graze at night the bell is muffled or removed.

A pack train is an expensive mode of transportation, taking much feed and water and many packers, but it has been demonstrated that despite the expenses the army cannot get along without its pack mules. Nowadays on good roads an army auto truck can haul at one load as much as a whole mule pack train can carry. So could two or three of the old army escort wagons. But when the roads are boggy, bridges gone and the mud knee deep, when wagons can no longer be pulled up mountain sides and the trail grows dimmer and narrower and is lost among the rocks of the mountains or the sands of the desert, all that has been developed in the way of rapid transportation gives way to the pack mule, whose bones whiten the routes of the armies of the world.

VALLANDIGHAM.
From a photograph taken in 1855.

THE REV. CLEMENT VALLANDIGHAM,
Father of Clement L., who died in 1839.

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From a photograph taken in 1866.

caused the downfall of his army, and his | caused me to indulge in some pale blue | bidden even to a member of the Gen- | Your letter of the 22d enclosing copy of | complete [illegible]